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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/015,408	12/12/2001	Robert J. DiStasio	6177-16	9888

7590 11/10/2004

Fleit, Kain, Gibbons,  
Gutman & Bongini, P.L.  
750 S.E. Third Avenue, Suite 100  
Ft. Lauderdale, FL 33316-1153

EXAMINER

SMITH, JAMES G

ART UNIT PAPER NUMBER

3723

DATE MAILED: 11/10/2004

Please find below and/or attached an Office communication concerning this application or proceeding.



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EXAMINER
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ART UNIT	PAPER
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23

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

See attached letter.

James G. Smith  
Primary Examiner  
Art Unit: 3723

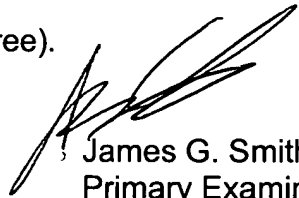
### DETAILED ACTION

1. The timely submission filed on 13 July 2004 is not fully responsive to the prior Office action because applicants have still not elected **only one species listed in the Office action of 23 October 2002**. Since the submission appears to be a *bona fide* attempt to provide a complete reply to the prior Office action, applicant is given a shortened statutory period of ONE MONTH or THIRTY DAYS from the mailing date of this letter, whichever is longer, to submit a complete reply. This shortened statutory period supersedes the time period set in the prior Office action. This time period may be extended pursuant to 37 CFR 1.136(a). If a notice of appeal and the fee set forth in 37 CFR 1.17(e) were filed prior to or with the payment of the fee set forth in 37 CFR 1.17(r), the payment of the fee set forth in 37 CFR 1.17(r) by applicant is construed as a request to dismiss the appeal and to continue prosecution under 37 CFR 1.129(a). The appeal stands dismissed.
2. Any response to this letter must be directed to only one of the species listed in the 23 October 2002 action. To continue to include portions of other listed species will again result in abandonment of this application as such responses have and will continue to be held not fully responsive and the time will continue to run from the date of this letter.
3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to James G. Smith whose telephone number is 703-308-1746. The examiner can normally be reached on M-Th (7:05- 4:35) Fri. off.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph J. Hail, III can be reached on 703-308-2687. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



James G. Smith  
Primary Examiner  
Art Unit 3723

jgs  
8/25/04